

**Amendment No. 1 to SB1487**

**Finney R.**  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1487\***

**House Bill No. 1869**

by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 9, Chapter 4, Part 51, is amended  
by adding the following language as a new, appropriately designated section:

**§ 9-4-5117.**

(a) Notwithstanding the provisions of any law to the contrary, if Tennessee's tobacco master settlement payment receipts as of June 30, for the prior twelve-month period, exceed the total amount of tobacco master settlement payments actually received by the state during fiscal year 2005, then an amount equal to such excess shall be appropriated to the Tennessee department of health, for the new fiscal year beginning July 1<sup>st</sup>. Funds appropriated to the department of health pursuant to this subsection shall not be used to replace existing funding allocated for state tobacco prevention efforts but shall be used solely to increase the total amount of funding available to the department for prevention and reduction of tobacco use and its harms.

(b) All funds appropriated to the department, pursuant to subsection (a), shall be allocated by the department consistently with the centers for disease control and prevention's best practices and guidelines for state tobacco control programs and shall be used exclusively for the following purposes:

- (1) Prevention and reduction of tobacco usage;
- (2) Reduction and prevention of tobacco related illnesses and cancer;
- (3) Reduction of the public's exposure to secondhand smoke; and
- (4) Identification and elimination of disparities related to tobacco usage and its effects among different population groups.

(c) Within ninety (90) days following appropriation of initial funding pursuant to subsection (a), an oversight committee of nine (9) members shall be established to assist the department in

(1) Developing, implementing, and maintaining a strategic plan for allocating such funds;

(2) Monitoring and evaluating the use of the funds and all other state expenditures to prevent and reduce tobacco use and its harms; and

(3) Assessing the efficacy of all such expenditures to prevent and reduce tobacco use and its harms.

Three (3) members of the committee shall be appointed by the governor for initial one-year terms. Three (3) members shall be appointed by the speaker of the senate for initial two-year terms. Three (3) members shall be appointed by the speaker of the house of representatives for initial three-year terms. Thereafter, appointments shall be made for regular terms of three (3) years, and vacancies shall be filled by the appropriate appointing authority for the balance of the unexpired term. The members of the oversight committee shall be persons with experience and expertise regarding medicine, public health, tobacco control policies and programs; public education and counter-marketing; and program oversight and evaluation. No member of the oversight committee shall, during the member's tenure on the committee or for the three-year period preceding committee membership, receive any salary, grants, or other payments or support from any business that manufactures, distributes, markets, or sells cigarettes or other tobacco products or serve as a director, employee, or consultant of any organization that receives grants or contributions from any such business or that provides legal, lobbying, public relations, marketing, or advertising services to any such business. Each member of the oversight committee shall also agree not to enter into any such financial or business relationships with the tobacco

industry for a period of two (2) years following that member's tenure on the oversight committee.

(d) The oversight committee shall annually report to the governor and the general assembly on tobacco usage and its related harms and costs in the state; the allocation of state funds to prevent and reduce tobacco use and its harms, including but not limited to those appropriated pursuant to subsection (a); the effectiveness of such funding allocations; and related surveillance and evaluation findings.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.